

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

United States of America,

NO. CR-06-00238 JW

Plaintiff,

**ORDER TO SHOW CAUSE WHY
DECLARATIONS IN SUPPORT OF
WITNESS' UNAVAILABILITY SHOULD
NOT BE UNSEALED**

v.

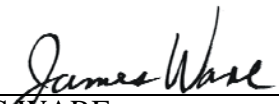
Suzie Moy Yuen,

Defendant.

On May 14, 2007, counsel for Theodore Rosenberg submitted an *in camera* and under seal declarations in support of his May 7 request that Rosenberg be declared unavailable for trial. On May 16, 2007, Defendant filed an application for an order allowing defense's *in camera* access to the declarations. In light of the application, the Court finds it appropriate for counsel for Theodore Rosenberg to appear and to show cause why the declarations from doctors regarding the physical status of Rosenberg should not be unsealed. The Court sets the hearing on the order to show cause for **June 4, 2007 at 1:30 p.m.**

All briefs in support of or in opposition to the Court's Order to Show Cause shall be filed no later than **May 31, 2007.**

Dated: May 24, 2007


JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN MAILED TO:**

2 Gilbert Eisenberg, g.eisenberg@sbcglobal.net
3 Mary McNamara, mmcnamara@swansonmcnamara.com
4 Carlos Singh, carlos.singh@usdoj.gov
5 Joseph A. Fazioli, joseph.fazioli@usdoj.gov
6 Tony West, TWest@mofo.com

7 **Dated: May 24, 2007**

Richard W. Wieking, Clerk

8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**